



City Council Report

City Council Meeting: August 27, 2019
Agenda Item: 3.C

To: Mayor and City Council

From: Katie Lichtig, Assistant City Manager, City Manager's Office
Joseph Cevetello, Chief Information Officer, Information Services
Department, Lane Dilg, City Attorney, City Attorney's Office

Subject: Proposed update to the City's Privacy Policy to provide the public with a comprehensive overview of what information the City obtains through the website and other channels and how the City uses that information

Recommended Action

Staff recommends that the City Council approve an updated privacy policy for the City of Santa Monica. The updated policy would be accessible on the city's website, providing the public with a comprehensive overview of what information the City obtains through the course of business, including through the website, and how the City uses that information.

Summary

As a result of advancements in technology, a commitment to use technology to engage interactively with residents and other community members, and changes in privacy laws, the City needs to update and expand the scope of its privacy policy. Online service enrollment, online surveys, electronic newsletters, online alerts, and online business and payment transactions are all increasingly used by the City to serve the public, and particularly to make service requests, information, and public safety notifications available 24 hours a day, seven days a week. The City is equally committed to protecting the integrity of personal data, both through robust cybersecurity measures and a comprehensive privacy policy. To advance both commitments, staff is proposing an updated privacy policy to address what information the City obtains from members of the public, how the City uses this information, and how community members can unsubscribe from City-generated communications.

Discussion

The City's current privacy policy applies to and is available on the City's website (<https://www.smgov.net/privacy>) (Attachment A). The current privacy policy has not been updated for a significant period and was adopted prior to the proliferation of digital communication and online service delivery. Staff proposes an updated privacy policy (Attachment B) to reflect the rapidly evolving use of technology by community members to access information and services and ensure a high level of customer service, while respecting the privacy of individuals accessing City services.

Other local governments have updated their privacy policies recently, and staff found the updated privacy policies of the Cities of Seattle, Boston, and West Hollywood to provide good models of contemporary municipal privacy policies. Much of the updated privacy policy being proposed for the City is based on policies currently in place in those cities.

The City of Santa Monica provides numerous services and programs and is a source of official information about policies in the event of an emergency. This requires the City to receive, collect and store information about the public it serves. The City does not collect personal information via the website unless it is voluntarily provided, such as by completing a survey or requesting services. Tracking technologies, such as cookies, are used to collect information (using tools such as Google analytics) that does not identify any particular person, for example, general statistical information such as which pages are visited and for how long or where visitors to the site are generally geographically located. This enables the City to provide better service through the site and is consistent with best practices used across industries.

The City does not sell personal identifiable information (PII) to third parties, does not profit from sharing PII with third parties, and does not sell aggregated anonymized data to third parties for marketing or commercial uses. If information must be shared with third parties who provide services for the City, such as ActiveNet, the third party is contractually held to the same privacy standards as the City.

The updated privacy policy provides information about when the City uses information to generate unsolicited electronic communications. For instance, the City does not use a cell phone number to initiate a call or SMS text message except for certain public safety emergency notifications. However, if an individual provides the City with contact information by sending an e-mail, filling out and submitting an online form, or registering an account, the City may use the information provided to respond and to place the individual on lists to inform the individual about City initiatives, programs, and events that may be of interest. Individuals can 'unsubscribe' or 'opt out' from electronic communications sent by the City. All email outreach generated by lists provides the option to opt out of receiving any future emails from that list.

We continue to hear from a small segment of the community that is very resistant to using electronic processes and communications. The updated privacy policy makes clear that the City will continue to make every effort to accommodate service delivery for residents who do not want to provide information electronically. The updated privacy policy also explains that individuals who elect not to provide information electronically may not receive all of the information available to those who elect to receive information electronically absent additional steps or legally required accommodations to receive information in person or in print.

Financial Impacts and Budget Actions

There is no immediate financial impact or budget action necessary as a result of recommended action.

Prepared By: Beth Rolandson, Administrative Services Officer

Approved

Forwarded to Council


Katie Lichtig, Assistant City Manager

8/18/2019


Rick Cole, City Manager

8/18/2019

Attachments:

- A. Attachment A: Existing Privacy Policy
- B. Attachment B: Proposed Privacy Policy and Security Statement
- C. Written Comments